

DISTRICT OF NEW JERSEY
UNITED STATES BANKRUPTCY COURT

Caption in Compliance with D.N.J. LBR 9004-2(c)

SCHILLER, KNAPP, LEFKOWITZ
& HERTZEL LLP
30 Montgomery Street, Suite 1205
Jersey City, New Jersey 07302
(518) 786-9069
Joseph G. Devine, Jr., Esq. (ID #031072011)
Attorneys for Bayview Loan Servicing, LLC

In Re:

DAVID LEADBEATER AND ANGELA LEADBEATER,

Debtors.

Case No.: 19-23468-CMG

Hearing Date:

Judge: Hon. Christine M. Gravelle

Chapter: 7

**NOTICE OF CREDITOR'S MOTION FOR RELIEF FROM
AUTOMATIC STAY PURSUANT TO 11 U.S.C. §362(d)(1)**

HEARING DATE AND TIME:

October 8, 2019 at 10:00 a.m.

**ORAL ARGUMENT IS REQUESTED IN THE EVENT
OPPOSITION IS TIMELY FILED**

TO:

David Leadbeater
500 East Main Street
Apt. 127
Tuckerton, NJ 08087

Angela Leadbeater
500 East Main Street
Apt. 127
Tuckerton, NJ 08087

Kevin S. Quinlan, Esq.
Attorney for Debtors
Kevin S. Quinlan, Esq.
207 West Main Street
Tuckerton, NJ 08087

United States Trustee
One Newark Center
Suite 2100
Newark, New Jersey 07102

Barry R. Sharer
Trustee
Sharer Petree Brotz & Snyder
1103 Laurel Oak Road
Suite 105B
Voorhees, NJ 08043

PLEASE TAKE NOTICE that on October 8, 2019 at 10:00 AM, or as soon thereafter as counsel may be heard, Schiller, Knapp, Lefkowitz & Hertzell LLP, attorneys Bayview Loan Servicing, LLC ("Creditor"), shall move before the Honorable Christine M. Gravelle, United States Bankruptcy Judge, at 402 East State Street, Courtroom #3, Trenton, NJ 08608 Order pursuant to 11 U.S.C. §362(d)(1) granting such Creditor relief from automatic stay for costs and disbursements of this action, and for such other and further relief as to the Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE that in support of the Motion, the undersigned shall rely on the accompanying Certification of Maria Ayala. A proposed form of Order is also being submitted. A Memorandum of Law has not been submitted because the issues raised by the Motion are not extraordinary or unusual necessitating the filing of legal briefs.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall: (i) be in writing; (ii) specify with particularity the basis of the objection; and (iii) be filed with the Clerk, at 402 East State Street, Courtroom #3, Trenton, NJ 08608 and simultaneously served on Creditor's counsel, Schiller, Knapp, Lefkowitz & Hertzell LLP, 950 New Loudon Road, Latham, NY 12110 (Attention: Joseph G. Devine, Jr., Esq.) so as to be received no later than seven (7) days before the return date set forth herein.

PLEASE TAKE FURTHER NOTICE that unless objections are timely filed and served, the Motion shall be deemed uncontested in accordance with D.N.J. LBR 9013-1(a) and the relief requested may be granted without a hearing.

PLEASE TAKE FURTHER NOTICE that counsel hereby requests oral argument in accordance with D.N.J. LBR 9013-1 (f) in the event opposition papers are timely filed.

DATED: September 16, 2019

Bayview Loan Servicing, LLC

By Its Counsel

/s/ Joseph G. Devine Jr.

Joseph G. Devine, Jr., Esq. (ID #031072011)

SCHILLER, KNAPP,

LEFKOWITZ & HERTZEL, LLP

A LLP Formed in the State of New York

30 Montgomery Street, Suite 1205

Jersey City, New Jersey 07302

(518) 786-9069

E-Mail: JDevine@schillerknapp.com